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January 3, 2020

**VIA ECF**

The Honorable Steven L. Tiscione, Magistrate Judge  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Guangzhou Love Live v. Belinda International Limited and  
Kam Yan Leung (Angela Wong)  
Case No.: 1:16-cv-000862

Dear Judge Tiscione:

This firm represents Guangzhou Love Live Culture Development Limited Company (“GZLL”) in this action, presently against Belinda International Limited d/b/a Belinda International Entertainment Group (“Belinda”), and its principal, Kam Yan Leung a/k/a Angela Wong (“Ms. Wong”).

This office filed a motion on behalf of GZLL to amend its complaint, *inter alia*, to add two parties, Kim Wa Wong and Wong Wai Ching, as defendants with a proposed first amended complaint (Doc. 60). GZLL’s motion was opposed by defendants (Doc. 63), and GZLL filed a reply with a supplemental proposed first amended complaint (Doc. 65, 65-1,2,3). On September 27, 2019, Your Honor directed (Doc. 66) that the parties submit supplemental briefing regarding 1) the citizenship of Kim Wa Wong and Wong Wai Ching<sup>1</sup>, and 2) whether the addition of these two parties would render diversity incomplete. Please accept this letter as GZLL’s supplemental brief.

- **Based Upon Discovery Responses by Defendants, on Information and Belief, Kim Wa Wong is Citizen of the United States and a Resident of New York State, and Wong Wai Ching is a Citizen and Resident of China.**

Since Your Honor’s Order (Doc. 66) directing the parties to address the citizenship of Kim Wa Wong and Wong Wai Ching, this office served discovery upon defendants regarding this issue.

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<sup>1</sup> GZLL’s proposed supplemental first amended complaint alleged on information and belief that Kim Wa Wong was a resident of New York and Wong Wai Ching was a resident of Hong Kong. (Doc. 65-1, ¶¶ 9,10).

Notably, Kim Wa Wong is Defendant Angela Wong's husband, and Wong Wai Ching is Angela Wong's sister-in-law. Based upon defendants' discovery responses, it appears that Kim Wa Wong is a United States citizen and resident of New York State. Additionally, Wong Wai Ching is not a United States citizen or permanent resident ("green card holder"), and is a citizen and resident of the People's Republic of China.<sup>2</sup>

- **It Does Appear that the Addition of Kim Wa Wong and Wong Wai Ching as Defendants in this Action Would Render Diversity Jurisdiction Incomplete.**

After receipt of this Court's September 27, 2019 Order (Doc. 66) and further legal research, and in light of the discovery served by defendants, GZLL acknowledges that it does appear that the addition of Wong Wai Ching as a defendant in this case (along with Kim Wa Wong) as set forth in its supplemental proposed first amended complaint (Doc. 65-1,2,3) would render diversity incomplete. It would present a situation where GZLL, a Chinese citizen and the sole plaintiff, is on one side of the lawsuit, and defendants 1) Belinda, a U.S. citizen, 2) Angela Wong, a U.S. citizen, 3) Kim Wa Wong, a U.S. citizen, and 4) Wong Wai Ching, a Chinese citizen, are on the other side of the lawsuit. "[D]iversity is lacking ... where on one side there are citizens and aliens and on the opposite side there are only aliens." Universal Licensing Corp. v. Paola del Lungo S.p.A., 293 F.3d 579, 581 (2d Cir. 2002). *See also* Hebei Tiankai Wood & Land Constr. Co. v. Frank Chen & Kirin Transp., Inc., 348 F. Supp. 3d 198 (E.D.N.Y. 2018); H.K. Huilin Int'l Trade Co., LTD v. Kevin Multiline Polymer Inc., 907 F. Supp. 2d 284 (E.D.N.Y. 2012).<sup>3</sup> Accordingly, GZLL acknowledges that, should this Court grant its motion and leave to file its supplemental proposed first amended complaint (Doc. 65-1,2,3), it does appear that this matter would have to be remanded to state court.

Respectfully submitted,



Kerry J. Kaltenbach

KJK/

<sup>2</sup> Defendants have responded to interrogatories that "to the best of Defendants' knowledge, she [Wong Wai Ching] is a citizen of China," and further, "she does not hold a Green Card." Accordingly, Wong Wai Ching may be a Chinese citizen in mainland China or Hong Kong. *See e.g. Smoothline Ltd. v. N. Am. Foreign Trading Corp.*, 2002 U.S. Dist. LEXIS 3123, 2002 WL 273301 (S.D.N.Y. 2002).

<sup>3</sup> Additionally, the claims which GZLL asserts in its supplemental proposed first amended complaint (Doc. 65-1,2,3) do not present a federal question.